

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

iBALL INSTRUMENTS, LLC,)
an Oklahoma limited liability company,)

Plaintiff,)

v.)

Case No. CIV-21-00778-JD

MYRON BUTLER; MARK ROBERT)
DAVIS; DAVID E. MOORE; TOC)
SOLUTIONS, INC., an Oklahoma)
corporation; TELECOMM)
CONSULTANTS, INC., an Oklahoma)
corporation; TOC RURAL)
SOLUTIONS, LLC, an Oklahoma)
limited liability company,)

Defendants.)

ORDER

On September 13, 2021, Defendants filed a motion to dismiss Plaintiff's complaint. [Doc. No. 16]. Plaintiff thereafter filed an Amended Complaint under Federal Rule of Civil Procedure 15(a)(1)(B). [Doc. No. 20]. Plaintiff's Amended Complaint "supersedes the original and renders it of no legal effect." *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007).

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss [Doc. No. 16] is DENIED AS MOOT and without prejudice.

IT IS SO ORDERED this 18th day of October 2021.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE